

FORM PTO-1390 (REV. 10-2003)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER <b>20540.0003</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 CFR 1.5 <b>10/576,045</b>	
INTERNATIONAL APPLICATION NO. <b>PCT/US04/34169</b>	INTERNATIONAL FILING DATE <b>15 October 2004</b>	PRIORITY DATE CLAIMED <b>15 October 2003</b>	
TITLE OF INVENTION <b>Compositions and Methods for Viral Inhibition</b>			
APPLICANT(S) FOR DO/EO/US <b>Novartis Vaccines and Diagnostics, Inc.</b>			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>			
<p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information:</p>			

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 107576,045	INTERNATIONAL APPLICATION NO. PCT/US04/34169	ATTORNEY'S DOCKET NUMBER 20540.0003																				
21. <input type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. .... <b>\$1080.00</b> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$920.00</b> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$770.00</b> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$730.00</b> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b>		<b>CALCULATIONS PTO USE ONLY</b>																				
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		\$																				
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">CLAIMS</th> <th style="width: 25%;">NUMBER FILED</th> <th style="width: 25%;">NUMBER EXTRA</th> <th style="width: 25%;">RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>- 20 =</td> <td></td> <td>x <b>\$18.00</b></td> </tr> <tr> <td>Independent claims</td> <td>- 3 =</td> <td></td> <td>x <b>\$86.00</b></td> </tr> <tr> <td colspan="2"><b>MULTIPLE DEPENDENT CLAIM(S) (if applicable)</b></td> <td></td> <td>+ <b>\$290.00</b></td> </tr> <tr> <td colspan="4" style="text-align: center;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	- 20 =		x <b>\$18.00</b>	Independent claims	- 3 =		x <b>\$86.00</b>	<b>MULTIPLE DEPENDENT CLAIM(S) (if applicable)</b>			+ <b>\$290.00</b>	<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																			
Total claims	- 20 =		x <b>\$18.00</b>																			
Independent claims	- 3 =		x <b>\$86.00</b>																			
<b>MULTIPLE DEPENDENT CLAIM(S) (if applicable)</b>			+ <b>\$290.00</b>																			
<b>TOTAL OF ABOVE CALCULATIONS =</b>																						
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$																				
<b>SUBTOTAL =</b>		\$																				
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$																				
<b>TOTAL NATIONAL FEE =</b>		\$																				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +		\$																				
<b>TOTAL FEES ENCLOSED =</b>		\$																				
		Amount to be refunded:																				
		charged:																				
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>03-1664</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.																						
<b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</b>																						
SEND ALL CORRESPONDENCE TO:  Novartis Vaccines and Diagnostics PO Box 8097 Emeryville, CA 94662-8097																						
 SIGNATURE																						
NAME <u>Lisa E. Alexander</u> 41,576 REGISTRATION NUMBER																						

Atty. Docket No. 20540.0003

**IN THE UNITED STATES DESIGNATED OFFICE (RO/US)**

In re Application of

NOVARTIS VACCINES AND DIAGNOSTICS, INC.

Int. Appl. No.: PCT/US04/34169

Int. Filing Date: October 15, 2004

For:

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

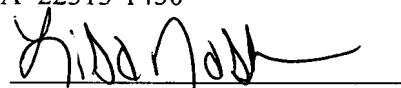
Express Mail Mailing Label No.: EM 028419472 US

Date of Deposit: April 25, 2007

Sir:

I hereby certify that the Transmittal Letter to the Designated/Elected Office and Declaration documents are being deposited with the United States Postal Service "Express Mailing Post Office to Addressee" service under 37 C.F.R. §1.10 on the dated indicated above and is addressed to:

Mail Stop PCT  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

  
Lisa M. Nash

April 25, 2007

NOVARTIS VACCINES AND DIAGNOSTICS, INC.  
Intellectual Property – R440  
P.O. Box 8097  
Emeryville, CA 94662-8097  
(510) 923-2707  
(510) 655-3542 (fax)



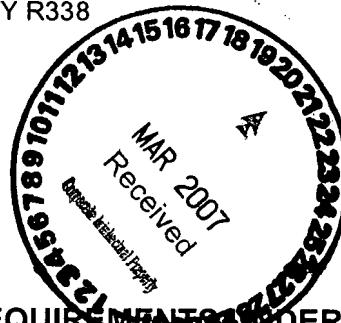
## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/576,045	Zhi-Jie Ni	PP020540.0003
INTERNATIONAL APPLICATION NO.		
PCT/US04/34169		
I.A. FILING DATE	PRIORITY DATE	
10/15/2004	10/15/2003	

27476  
 NOVARTIS VACCINES AND DIAGNOSTICS INC.  
 CORPORATE INTELLECTUAL PROPERTY R338  
 P.O. BOX 8097  
 Emeryville, CA 94662-8097

Date Mailed: 03/16/2007



CONFIRMATION NO. 9706  
 371 FORMALITIES LETTER



\*OC000000022936686\*

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/14/2006
- Copy of the International Search Report filed on 04/14/2006
- Oath or Declaration filed on 04/14/2006
- U.S. Basic National Fees filed on 04/14/2006
- Priority Documents filed on 04/14/2006

FILE NUMBER	PA
ATTY.	PA
INFO. DISCLOSURE DUE DATE	
FOREIGN FILING DEADLINE	
STATUS OF PCT	
DOCKETED BY DATE	

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web at <https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

DOCKETED on/by 3/20/07 - RW  
 Atty. BJC PA  
 File # PP 2054D.0003  
 Due Date 3/16/07 Ext R55  
 Final Date 10/10/07 - R55

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

CHRISTINE S WASHINGTON

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Telephone: (703) 308-9140 EXT 228

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/576,045	PCT/US04/34169	PP020540.0003

FORM PCT/DO/EO/905 (371 Formalities Notice)